IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 2310 of 2005

Between:

The Bharat Scouts & Guides, B.P. State Headquarters, Domulguda, Hyderabad, Rep. by its Honorary State Secretary Mr. M.K. Visweswara Rao, S/o. Sri Mallikharjuna Rao.

..... PETITIONER

AND

1 The State of Andhra Pradesh, Rep. by its Principal Secretary to Government, Home Department, Secretariat, Hyderabad.
2 The Station House Officer, Chikkadpally Police Station, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to a) declaring the action of the respondents in not providing police protection to the Writ Petitioner association in protecting its possession from its earlier managing Committee members as arbitrary, illegal, and in violation of the principles of natural justice; b) Direct the respondents to provide protection to the Writ Petitioner association in order to maintain law and situation at Writ Petitioner association premises at Domalguda, Hyderabad.

Counsel for the Petitioner:MR.NUTY RAM MOHAN RAO

Counsel for the Respondents: GP FOR HOME

The Court at the admissions stage made the following :

ORDER:

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The petitioner is the Bharat Scouts & Guides. There is some dispute as to the management of the same. An order was passed by the National Commissioner, Bharat Scouts & Guides, appointing two I.A.S. Officers to manage the affairs of the petitioner. O.S.No.6011 of 2004 was filed by one Smt Samyuktha Bullayya in the Court of learned Junior Civil Judge, Hyderabad. I.A.No.1201 of 2004 filed by her is said to have been ordered on 27.01.2005. The petitioner alleges that on the strength of such order, the said lady, along with her followers, is interfering with the possession of the petitioner and that when the petitioner approached the 2nd respondent herein, viz., Station House Officer, Chikkadpally Police Station, Hyderabad, no action has been taken and appropriate directions are sought for.

Heard learned counsel for the petitioner and learned Government Pleader for Home.

There existed an element of uncertainity as to the entitlement of the petitioner on the one hand and the plaintiff in the suit referred to above on the other, as to the management of the Scouts and Guides. It is now represented that in C.R.P.No. 462 of 2005 filed by the petitioner in this Court, the order of the trial Court is suspended.

Hence, the writ petition is disposed of, leaving it open to the petitioner to approach the 2nd respondent with proper application as and when there is any threat to its possession. If such an application or complaint is made, the 2nd respondent shall extend necessary protection to the petitioner. There shall be no order as to costs.

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16.02.2005

Jsu

To

1 The Principal Secretary, State of Andhra Pradesh, Home Department, Secretariat, Hyderabad.
2 The Station House Officer, Chikkadpally Police Station, Hyderabad.

3 2 CCs to the G.P. for Home, High Court Buildings, Hyderabad. (OUT)

4 2 CD copies